



Office of the City Clerk-Treasurer
301 W. Chestnut
Rogers, Arkansas 72756
479-621-1117 · (Fax) 479-936-5401
www.rogersar.gov

COMMITTEE SCHEDULE

TO: MAYOR
CITY COUNCIL
DEPARTMENT HEADS
PRESS

FROM: PEGGY DAVID, CITY CLERK-TREASURER

DATE: March 7, 2019

The following committee meetings will be held on Tuesday, March 12, 2019 prior to the City Council Meeting:

6:00 p.m. - PUBLIC WORKS COMMITTEE: (Townzen, Brashear and Kendall) Committee Room #1

To Discuss: (a) Authorizing an Amendment to the City of Rogers Franchise Agreement with Inland Waste Solutions; To Approve a Fee Increase for Solid Waste Disposal that is Proportional to Cost Increases

6:15 p.m. - TRANSPORTATION COMMITTEE: (Kruger, Townzen and Carmichael) Committee Room #1

To Discuss: (a) Request to Close Streets from American Heart Association for the NWA Heart Walk on April 13, 2019
(b) Request to Close Streets from Kendrick Fincher Foundation for the Kendrick Fincher Hydration for Life 5K on May 11, 2019

6:15 p.m. - FINANCE COMMITTEE: (Reithemeyer, Wolf and Kendall) Committee Room #2

To Discuss: (a) A Resolution Amending the 2019 Budget to Recognized \$54,479 into Acct. #100-01-49255 from the Rogers Fire Pension Fund and Appropriate Up to \$45,210 to Acct. #100-01-72100
(b) A Resolution Amending the 2018 Budget to Appropriate General Fund Reserves in the Amount of \$679,173 to Various Accounts
(c) A Resolution Amending the 2018 Budget to Appropriate Health Fund Reserves in the Amount of \$1,166,233 to Acct. #375-75-61503
(d) A Resolution Amending the 2019 Budget to Appropriate Community Development Block Grant (CDBG) Fund Reserves in the Amount of \$394,864 to Various Accounts
(e) A Resolution Amending the 2019 Budget to Appropriate Health Fund Reserves in the Amount of \$18,789 to Acct. #375-75-61501

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- (f) A Resolution Amending the 2019 Budget to Appropriate Court Automation Fund Reserves in the Amount of \$32,526 to Acct. #338-38-70251

 - (g) A Resolution Amending the 2019 Budget to Move Court Automation Fund Monies and Appropriate \$7,500 from Court Automation Reserves to Acct. #100-12-61110

 - (h) A Resolution Amending the 2019 Budget to Recognize Grant Proceeds in the Amount of \$504,833 and Appropriate Grant Proceeds and General Fund Reserves in the Amount of \$2,414,936 to Various Accounts

 - (i) A Resolution Amending the 2019 Budget to Appropriate Street Fund Reserves in the Amount of \$3,072,155 to Various Accounts

 - (j) A Resolution Amending the 2019 Budget to Recognize Grant Proceeds in the Amount of \$988,871 and Appropriate Grant Proceeds and Airport Fund Reserves in the Amount of \$1,115,110 to Various Accounts
-



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ROGERS CITY COUNCIL

AGENDA

MARCH 12, 2019

6:30 P.M.

PUBLIC FORUM:

INVOCATION & PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES: February 26, 2019

REPORTS OF BOARDS AND STANDING COMMITTEES:

1. RES. Re: Amending the 2019 Budget to Recognized \$54,479 into Acct. #100-01-49255 from the Rogers Fire Pension Fund and Appropriate Up to \$45,210 to Acct. #100-01-72100 - Finance Committee
2. RES. Re: Amending the 2018 Budget to Appropriate General Fund Reserves in the Amount of \$679,173 to Various Accounts - Finance Committee
3. RES. Re: Amending the 2018 Budget to Appropriate Health Fund Reserves in the Amount of \$1,166,233 to Acct. #375-75-61503 - Finance Committee
4. RES. Re: Amending the 2019 Budget to Appropriate Community Development Block Grant (CDBG) Fund Reserves in the Amount of \$394,864 to Various Accounts - Finance Committee
5. RES. Re: Amending the 2019 Budget to Recognize Grant Proceeds in the Amount of \$504,833 and Appropriate Grant Proceeds and General Fund Reserves in the Amount of \$2,414,936 to Various Accounts - Finance Committee

ROGERS CITY COUNCIL AGENDA

MARCH 12, 2019

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6. RES. Re: Amending the 2019 Budget to Appropriate Court Automation Fund Reserves in the Amount of \$32,526 to Acct. #338-38-70251 - Finance Committee
7. RES. Re: Amending the 2019 Budget to Move Court Automation Fund Monies and Appropriate \$7,500 from Court Automation Reserves to Acct. #100-12-61110 - Finance Committee
8. RES. Re: Amending the 2019 Budget to Appropriate Health Fund Reserves in the Amount of \$18,789 to Acct. #375-75-61501 - Finance Committee
9. RES. Re: Amending the 2019 Budget to Appropriate Street Fund Reserves in the Amount of \$3,072,155 to Various Accounts - Finance Committee
10. RES. Re: Amending the 2019 Budget to Recognize Grant Proceeds in the Amount of \$988,871 and Appropriate Grant Proceeds and Airport Fund Reserves in the Amount of \$1,115,110 to Various Accounts - Finance Committee

OLD BUSINESS:

1. ORD. Re: Authorizing an Amendment to the City of Rogers Franchise Agreement with Inland Waste Solutions; To Approve a Fee Increase for Solid Waste Disposal that is Proportional to Cost Increases **FINAL VOTE** - Public Works Committee

NEW BUSINESS:

1. ORD. Re: Rezone from N-R to NBT, .34 Acres ± at 506 S. 3rd Street (Gregory & Harriet Stone) - Gregory Stone
2. ORD. Re: Rezone from R-O to R-DP, 22.5 Acres ± at 1504 Persimmon Street - Jim Neill

APPOINTMENTS:

ANNOUNCEMENTS:

RESOLUTION NO. R-19-_____

A RESOLUTION AMENDING THE 2019 BUDGET TO RECOGNIZE FIFTY-FOUR THOUSAND FOUR HUNDRED SEVENTY-NINE DOLLARS (\$54,479) INTO GENERAL FUND ACCOUNT 100-01-49255 REIMBURSEMENTS FROM THE ROGERS FIRE PENSION FUND AND APPROPRIATE UP TO FORTY-FIVE THOUSAND TWO HUNDRED TEN DOLLARS (\$45,210) TO GENERAL FUND ACCOUNT 100-01-72100 INTERFUND TRANSFERS OUT; AND FOR OTHER PURPOSES.

WHEREAS, The Local Rogers Fire Pension Board met on June 4, 2018 and approved to start the process to request a pension benefit increase;

WHEREAS, David Clark, Executive Director of the Arkansas Fire & Police Pension notified the City of Rogers by certified mail on October 5, 2018, "My decision is subject to review by the Arkansas Fire & Police Pension Review Board (PRB). The next meeting is scheduled for December 12, 2018, at 9:30 a.m. in Little Rock. However, this letter serves as authorization for your Local Plan to implement the approved benefit increase as described...once the Pension Review Board has received the previously mentioned city council certification";

WHEREAS, The City of Rogers notified the Arkansas Fire & Police Pension Office on October 30, 2018, and again on December 4, 2018, whereas the City of Rogers intended to remove the .5 mill property tax levy for Firemen's Pension purposes, the notification was made to verify if the raise approval as noted on October 5, 2018 was valid after the removal of the millage, the Arkansas Fire & Police Pension Director indicated the raise was still valid;

WHEREAS, the City of Rogers City Council passed Resolution NO. R-18-59 on October 9, 2018, whereas .5 Mill for the Fire Pension purposes and .5 mill for the Police Pension purposes was removed from the certification for 2019 taxes collected, of which .5 mill was added to the City General Fund;

WHEREAS, per Resolution NO. R-18-73 adopted December 11, 2018, the City of Rogers City Council finds that effective January 1, 2019, a base benefit structure increase for current retirees, current surviving spouses, and future surviving spouses from 70% of base salary to 73% of base salary;

WHEREAS, per Resolution NO. R-18-73 adopted December 11, 2018, City of Rogers City Council finds that effective January 1, 2019, a base benefit structure increase for current job-related disability retirees, current job-related disability spouses, and future job-related disability spouses from 75% of base salary to 78% of base salary;

WHEREAS, per Resolution NO. R-18-73 adopted December 11, 2018, the City of Rogers City Council finds that effective January 1, 2019, a benefit increase for volunteer service participants from base pay of \$150/month to \$200/month;

WHEREAS, per Resolution NO. R-18-73 adopted December 11, 2018, all benefits related to additional pay for service over 20 years will remain unchanged from current law;

WHEREAS, On December 12, 2018, the Arkansas Fire & Police Pension Review Board (PRB) met and notified the City of Rogers by certified mail the PRB had overturned David Clark, Executive Director's approval of the Firemen's pension benefit increase that was approved by the City of Rogers City Council on December 11, 2018, and the benefit increase could not be paid from the Fire Pension millage Fund monies;

WHEREAS, the Local Rogers Fire Pension Board met on March 4, 2019 and per the Board minutes approved for the City of Rogers to transfer \$54,479 from the Rogers Fire Pension Fund to the General Fund to cover the administrative expenses of management and bookkeeping of the retirement plan; and

WHEREAS, the City of Rogers can pay pension benefits from the City General Funds per AG Opinion 2016-092.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS:

Section 1: Amend the 2019 Budget to recognize Fifty-four thousand four hundred seventy-nine dollars (\$54,479) into General Fund account 100-01-49255 Reimbursements from the Rogers Fire Pension Fund for administration expenses related to the management and bookkeeping of the retirement plan;

Section 2: Amend the 2019 Budget to appropriate up to Forty-five thousand two hundred ten dollars (\$45,210) to General Fund Account 100-01-72100 Interfund Transfers Out for the payment of pension benefits as approved by the City Council on December 11, 2018 per Resolution NO. R-18-73;

Section 3 - Severability Provision: In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Resolution shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Resolution as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Resolution shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein; and

Section 4 - Repeal of Conflicting Resolutions: All resolutions of the City Council, or parts of resolutions of the City Council in conflict herewith are hereby repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2019.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested by: Mayor Greg Hines
Prepared by: Casey Wilhelm, Director of Finance
For Consideration by the Finance Committee

RESOLUTION NO. R-19-_____

A RESOLUTION AMENDING THE 2018 BUDGET TO APPROPRIATE GENERAL FUND RESERVES IN THE AMOUNT OF SIX HUNDRED SEVENTY-NINE THOUSAND ONE HUNDRED SEVENTY-THREE DOLLARS (\$679,173.00) TO VARIOUS ACCOUNTS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers reviewed the final 2018 budget for unanticipated expenses during the year; and

WHEREAS, various departments within the general fund identified expenses that were unanticipated and resulted in the need for additional appropriations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS THAT:

Section 1: The **2018 Budget** is amended to appropriate six hundred seventy-nine thousand one hundred seventy-three dollars (\$679,173.00) from general fund reserves into the following accounts:

Department	Account	Account Title	In the Amount of
Risk Reduction	100-02-70005	Continuing Education	\$ 1,000.00
Risk Reduction	100-02-70167	Fuel & Oil Expense	\$ 977.00
Risk Reduction	100-02-70365	Bank Charges and Fees	\$ 1,000.00
Fire	100-04-61110	Salaries and Wages- overtime	\$ 195,320.00
Fire	100-04-61130	Salaries and Wages- SOD overtime	\$ 10,916.00
Fire	100-04-61165	Retirement Expense – LOPFI	\$ 149,262.00
Fire	100-04-70115	Uniform Expense	\$ 18,000.00
Fire	100-04-70165	Vehicle Maintenance	\$ 60,855.00
Fire	100-04-70155	Buildings and Grounds Maintenance	\$ 10,947.00
Parks	100-08-60105	Salaries and Wages – Summer Lifeguards	\$ 214,335.00
Parks	100-08-61150	FICA Expense	\$ 16,397.00
Museum	100-10-60105	Salaries and Wages	\$ 164.00

Section 2 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Resolutions: All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2019.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Casey Wilhelm, Director of Finance
Prepared By: Bonnie Bridges, Staff Attorney
For Consideration by the Finance Committee

RESOLUTION NO. R-19-_____

A RESOLUTION AMENDING THE 2018 BUDGET TO APPROPRIATE HEALTH FUND RESERVES IN THE AMOUNT OF ONE MILLION ONE HUNDRED SIXTY-SIX THOUSAND TWO HUNDRED THIRTY-THREE DOLLARS (\$1,166,233.00) TO ACCOUNT NUMBER 375-75-61503 HEALTH CLAIMS EXPENSE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers reviewed the final 2018 budget for unanticipated expenses during the year; and

WHEREAS, the Health Fund identified expenses that were unanticipated and resulted in the need for additional appropriations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS THAT:

Section 1: The **2018 Budget** is amended to appropriate one million one hundred sixty-six thousand two hundred thirty-three dollars (\$1,166,233.00) from health fund reserves into account number 375-75-61503 health claims expense.

Section 2 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Resolutions: All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2019.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Casey Wilhelm, Director of Finance
Prepared By: Bonnie Bridges, Staff Attorney
For Consideration by the Finance Committee

RESOLUTION NO. R-19-_____

A RESOLUTION AMENDING THE 2019 BUDGET TO APPROPRIATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUND RESERVES IN THE AMOUNT OF THREE HUNDRED NINETY FOUR THOUSAND EIGHT HUNDRED SIXTY-FOUR DOLLARS (\$394,864.00) TO VARIOUS ACCOUNTS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers has unspent CDBG Funds at year end 2018 from awarded grant funds, rebate refunds, and deferred loan agreement releases to be spent in 2019.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS THAT:

Section 1: The City of Rogers **2019 Budget** is amended to appropriate three hundred ninety four thousand eight hundred sixty-four dollars (\$394,864.00) from CDBG Fund Reserve to the following accounts:

Account	Account Title	Amount
342-42-61135	Salaries & Wages	\$ 54,416.00
342-42-70005	Continuing Education	\$ 7,259.00
342-42-70110	Office Supplies	\$ 668.00
342-42-70170	Dues & Subscriptions	\$ 1,835.00
342-42-70182	Advertising	\$ 5,172.00
342-42-70296	Public Service Projects	\$ 34,530.00
342-42-70390	Postage	\$ 518.00
342-42-70970	Housing Projects	\$ 162,566.00
342-42-79010	Public Construction Projects	\$ 127,900.00

Section 2 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Resolutions: All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2019.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk
Requested By: Donna Johnson, CDBG Coordinator
Prepared By: Bonnie Bridges, Staff Attorney
For Consideration by the Finance Committee

RESOLUTION NO. R-19-_____

A RESOLUTION AMENDING THE 2019 BUDGET TO RECOGNIZE GRANT PROCEEDS IN THE AMOUNT OF FIVE HUNDRED FOUR THOUSAND EIGHT HUNDRED THIRTY-THREE DOLLARS (\$504,833.00) AND APPROPRIATE SAID GRANT PROCEEDS AND GENERAL FUND RESERVES IN THE AMOUNT OF TWO MILLION FOUR HUNDRED FOURTEEN THOUSAND NINE HUNDRED THIRTY-SIX DOLLARS (\$2,414,936.00) TO VARIOUS ACCOUNTS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers reviewed the 2018 final budget for general fund revenues and expenditures pending at year-end; and

WHEREAS, various departments identified grant revenues and appropriations approved in 2018 where the receipt of the grant proceeds or payment of the expense will not occur until 2019.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS THAT:

Section 1: The **2019 Budget** is amended recognize grant proceeds in the amount of five hundred four thousand eight hundred thirty-three dollars (\$504,833.00):

Department	Account	Account Title	In the Amount of
Administration	100-01-45305	State Grant Revenue	\$ 2,100.00
Police	100-03-45627	Edward Byrne Fed Grant Rev 2018	\$ 23,453.00
Fire	100-04-45110	Federal Grant Revenue	\$ 479,280.00

Section 2: The **2019 Budget** is amended to appropriate two million four hundred fourteen thousand nine hundred thirty-six dollars (\$2,414,936.00) from general fund reserves into the following accounts for carryover projects and unspent grants/donations:

Department	Account	Account Title	In the Amount of
Administration	100-01-70210	Improvements and Furnishings	\$ 8,238.00
Administration	100-01-70268	Professional Services	\$ 19,674.00
Administration	100-01-70297	Historic District Grant Expense	\$ 2,100.00
Administration	100-01-80120	City Hall Renovation	\$ 20,827.00
Police	100-03-71201	Edward Byrne Fed Grant Exp 2018	\$ 12,522.00
Fire	100-04-60105	Salaries and Wages	\$ 487,904.00
Fire	100-04-61150	FICA Expense	\$ 7,075.00
Fire	100-04-61165	Retirement Expense - LOPFI	\$ 114,658.00
Library	100-06-70155	Buildings & Grounds	\$ 1,350.00
Parks and Recreation	100-08-70154	Trails Maintenance	\$ 280,500.00
Parks and Recreation	100-08-80107	Pinnacle Hills Open Space	\$ 620,475.00
Parks and Recreation	100-08-84511	Frisco Park	\$ 258,178.00
Parks and Recreation	100-08-84512	Railyard Bike Park	\$ 472,298.00
Museum	100-10-70155	Building & Grounds	\$ 6,941.00
Adult Wellness	100-11-70155	Building & Grounds	\$ 71,174.00

Adult Wellness	100-11-70995	Donation/Grant Expense	\$ 4,519.00
District Court	100-12-61110	Salaries and Wages -overtime	\$ 1,005.00
District Court	100-12-70251	Court Automation Expense	\$ 10,234.00
District Court	100-12-70268	Professional Services	\$ 13,080.00
District Court	100-12-70840	Court Mediation	\$ 1,205.00
Legal	100-17-70205	Small Tools & Equipment	\$ 979.00

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Resolutions: All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2019.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Casey Wilhelm, Director of Finance
Prepared By: Bonnie Bridges, Staff Attorney
For Consideration by the Finance Committee

RESOLUTION NO. R-19-_____

A RESOLUTION AMENDING THE 2019 BUDGET TO APPROPRIATE COURT AUTOMATION FUND RESERVES IN THE AMOUNT OF THIRTY-TWO THOUSAND FIVE HUNDRED TWENTY-SIX DOLLARS (\$32,526.00) TO ACCOUNT NUMBER 338-38-70251 COURT AUTOMATION EXPENSE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers reviewed the 2018 final budget for court automation expenditures pending at year-end; and

WHEREAS, the District Court identified appropriations approved in 2018 where the payment of the expense will not occur until 2019.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS THAT:

Section 1: The **2019 Budget** is amended to appropriate thirty-two thousand five hundred twenty-six dollars (\$32,526.00) from court automation fund reserves to account number 338-38-70251 court automation expense for carryover projects;

Section 2 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Resolutions: All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2019.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Casey Wilhelm, Director of Finance
Prepared By: Bonnie Bridges, Staff Attorney
For Consideration by the Finance Committee

RESOLUTION NO. R-19-_____

A RESOLUTION AMENDING THE 2019 BUDGET TO MOVE COURT AUTOMATION FUND MONIES AND APPROPRIATE SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00) FROM COURT AUTOMATION FUND RESERVES TO ACCOUNT NUMBER 100-12-61110 SALARIES AND WAGES- OVERTIME; AND FOR OTHER PURPOSES.

WHEREAS, the District Judge reviewed Court Automation monies for 2019, and would like to move appropriations around for 2019 operations; and

WHEREAS, the District Judge foresees overtime for his staff for 2019.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS THAT:

Section 1: The **2019 Budget** is amended as follows to move Court Automation Fund monies:

Account Title	Account	Decrease	Increase
Court Automation Expense	100-12-70251	\$ 10,234.00	
Court Automation Expense	338-38-70251		\$ 10,234.00

Section 2: The 2019 Budget is amended to appropriate seven thousand five hundred dollars (\$7,500.00) from Court Automation Fund Reserves to Account number 100-12-61110 Salaries and Wages –Overtime;

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Resolutions: All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2019.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk
Requested By: Judge Chris Griffin, Rogers District Court
Prepared By: Bonnie Bridges, Staff Attorney
For Consideration by the Finance Committee

RESOLUTION NO. R-19-_____

A RESOLUTION AMENDING THE 2019 BUDGET TO APPROPRIATE HEALTH FUND RESERVES IN THE AMOUNT OF EIGHTEEN THOUSAND SEVEN HUNDRED EIGHTY-NINE DOLLARS (\$18,789.00) TO ACCOUNT NUMBER 375-75-61501 HEALTH ADMINISTRATION EXPENSE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers reviewed the 2018 final budget for health fund expenditures pending at year-end; and

WHEREAS, the City of Rogers identified appropriations approved in 2018 where the payment of the expense will not occur until 2019;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS THAT:

Section 1: The **2019 Budget** is amended to appropriate eighteen thousand seven hundred eighty-nine dollars (\$18,789.00) from health fund reserves to account number 375-75-61501 health administration expense for carryover projects.

Section 2 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Resolutions: All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2019.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Casey Wilhelm, Director of Finance
Prepared By: Bonnie Bridges, Staff Attorney
For Consideration by the Finance Committee

RESOLUTION NO. R-19-_____

A RESOLUTION AMENDING THE 2019 BUDGET TO APPROPRIATE STREET FUND RESERVES IN THE AMOUNT OF THREE MILLION SEVENTY-TWO THOUSAND ONE HUNDRED FIFTY-FIVE DOLLARS (\$3,072,155.00) TO VARIOUS ACCOUNTS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers reviewed the 2018 final budget for street expenditures pending at year-end; and

WHEREAS, the street department identified appropriations approved in 2018 where the payment of the expense will not occur until 2019.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS THAT:

Section 1: The **2019 Budget** is amended to appropriate three million seventy-two thousand one hundred fifty-five dollars (\$3,072,155.00) from street fund reserves into the following accounts for carryover projects and unspent grants/donations:

Account	Account Title	In the Amount of
200-16-70930	Traffic Control Maintenance	\$ 197,045.00
200-16-70976	Fee in Lieu of Expense	\$ 29,972.00
200-16-70977	Fee in Lieu of Exp. - Stormwater	\$ 45,000.00
200-16-70980	Disaster Relief	\$ 775,973.00
200-16-80100	Capital Expenditures	\$ 44,665.00
200-16-80115	Lake Atalanta Improvements	\$ 28,577.00
200-16-84529	Razorback Greenway Trail	\$ 730,423.00
200-16-85052	Bellview Road Extension- Garrett Road	\$ 1,220,500.00

Section 2 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Resolutions: All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2019.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Casey Wilhelm, Director of Finance
Prepared By: Bonnie Bridges, Staff Attorney
For Consideration by the Finance Committee

RESOLUTION NO. R-19-_____

A RESOLUTION AMENDING THE 2019 BUDGET TO RECOGNIZE GRANT PROCEEDS IN THE AMOUNT OF NINE HUNDRED EIGHTY-EIGHT THOUSAND EIGHT HUNDRED SEVENTY-ONE DOLLARS (\$988,871.00) AND APPROPRIATE SAID GRANT PROCEEDS AND AIRPORT FUND RESERVES IN THE AMOUNT OF DOLLARS ONE MILLION ONE HUNDRED FIFTEEN THOUSAND ONE HUNDRED TEN DOLLARS (\$1,115,110.00) TO VARIOUS ACCOUNTS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers reviewed the 2018 final budget for airport revenues and expenditures pending at year-end; and

WHEREAS, Airport identified grant revenues and appropriations approved in 2018 where the receipt of the grant proceeds or payment of the expense will not occur until 2019;.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS THAT:

Section 1: The **2019 Budget** is amended recognize grant proceeds in the amount of nine hundred eighty-eight thousand eight hundred seventy-one dollars (\$988,871.00):

Account	Account Title	In the Amount of
315-15-48050	Federal Grant	\$ 988,871.00

Section 2: The **2019 Budget** is amended to appropriate one million one hundred fifteen thousand one hundred ten dollars (\$1,115,110.00) from grant proceeds and airport fund reserves into the following accounts for carryover projects and unspent grants/donations:

Account	Account Title	In the Amount of
315-15-81135	Airport Runway Rehab	\$ 4,449.00
315-15-81136	Taxilane Apron Construction	\$ 1,106,221.00
315-15-81137	Capital Project 37	\$ 4,440.00

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Resolutions: All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2019.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Casey Wilhelm, Director of Finance
Prepared By: Bonnie Bridges, Staff Attorney
For Consideration by the Finance Committee

ORDINANCE NO. 19-_____

AN ORDINANCE TO AUTHORIZE AN AMENDMENT TO THE CITY OF ROGERS FRANCHISE AGREEMENT WITH INLAND WASTE SOLUTIONS; TO APPROVE A FEE INCREASE FOR SOLID WASTE DISPOSAL THAT IS PROPORTIONAL TO COST INCREASES; AND FOR OTHER PURPOSES.

WHEREAS, Inland Waste Solutions, L.L.C. has requested an increase in the fees for collection of residential garbage and recycling to account for a significant increase in operating costs;

WHEREAS, Inland Waste Solutions, L.L.C. relies in part on 7.2 percent increase in transportation costs for the period November 2017 to November 2018 as set forth in the U.S. All Urban Consumers Indexes (CPI-U) for Transportation Garbage Collections published by the United States Department of Labor, Bureau of Statistics; and

WHEREAS, the proposed increases in rates are proportional to the increase in costs and consistent with the requirements of law and the provisions of the original franchise agreement designed to protect consumers against undue and excessive rate increases, and are as follows:

SERVICE	CURRENT	PROPOSED	DIFFERENCE
Curbside Garbage (96 Gallon Cart)	\$ 12.16	\$ 13.47	\$ 1.31
Curbside Recycle (64 Gallon Cart)	\$ 2.99	\$ 4.46	\$ 1.47
Total Monthly Service	\$ 15.15	\$ 17.93	\$ 2.78

LOW VOLUME SERVICE	CURRENT	PROPOSED	DIFFERENCE
Curbside Garbage (64 Gallon Cart)	\$ 11.73	\$ 12.99	\$ 1.26
Curbside Recycle (64 Gallon Cart)	\$ 2.99	\$ 4.46	\$ 1.47
Total Monthly Service	\$ 14.72	\$ 17.45	\$ 2.73

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS THAT:

Section 1: The Mayor and City Clerk may execute an amendment to the City of Rogers's franchise agreement with Inland Waste Solutions, LLC titled "The Agreement for the Collection and Transfer of Residential Solid Waste and Recyclable Materials" entered into on December 31, 2015, adopted by City of Rogers Ordinance No. 16-01, and codified in Appendix A, Article III, Division 1 of the Code of Ordinances, City of Rogers, Arkansas.

Section 2: The amendment to the City of Rogers's franchise agreement with Inland Waste Solutions, LLC described in Section 1 is attached as Exhibit "A".

Section 3 - Emergency Clause: That for the reasons stated in this Ordinance, the need to amend franchise agreement is immediate and in order to protect the public peace, health, safety,

and welfare an emergency is hereby declared to exist and this Ordinance shall be in full force and effect beginning March 13, 2019;

Section 4 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 5 - Repeal of Conflicting Provisions: All ordinances, resolutions or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2019.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Request By: C. Greg Hines, Mayor
Prepared By: Bonnie Bridges, Staff Attorney

EXHIBIT "A"

Amendment to Agreement for the Collection and Transfer of Residential Solid Waste and Recyclable Materials

Pursuant to Section II (k) of the "Agreement for the Collection and Transfer of Residential Solid Waste and Recyclable Materials" ("Original Agreement") this Amendment to the Original Agreement is entered into this ____ day of ____, 2019 amended by and the City of Rogers, Arkansas ("the City") and Inland Waste Solutions, LLC ("the Contractor"). The provisions of this Amendment to the Original Agreement shall become effective on April 01, 2019.

Subsections (a) and (b) of Section IV of the Original Agreement are amended to alter the rates service and remove the requirement of 32 gallon capacity containers, and shall read as follows:

Section IV. - Residential services, operations and performance.

(a) Solid waste services for residents.

Base fee service. The contractor shall provide residential solid waste collection and transfer services for all residential customers located within the service areas of this agreement one time per week using container bins on wheels, which will be limited to one container bin weekly of either a 64-gallon or 96-gallon capacity. The base fee charged to customers shall be:

64-gallon recycling container-cart: \$4.46

96-gallon solid waste container: \$13.47

64-gallon solid waste container: \$12.99

(b) Residential collections.

Recycle bin collection. One time per week curbside collection of residential recycling shall be provided as a tandem service to the one time per week solid waste collection service outlined above for those customers. The customer will be instructed to set out recycle bins under the same placement rules as for the set out of solid waste. The contractor shall be responsible to provide an inventory of recycling bins sufficient to provide for all customers who are in the city.

Recyclable materials. Customers will be permitted to recycle newspapers, magazines, plastic bottle containers, aluminum and tin cans and cardboard. Educational brochures will instruct customers how to prepare items.

Yard waste services. Residents are encouraged to manage yard wastes on-site using techniques such as backyard composting and mulching mowers to the greatest extent possible. However, residential yard waste collection will be provided by contractor at an extra cost to

residents through purchase of special green bags at a cost of \$2.22 per green bag, which shall be picked up on the same day as solid waste. Any increase in the price charged for these special bags must be approved by the city council.

Bulky waste pickup. The contractor shall provide bulky waste pickup service for all customers at least one day a month. Items to be included in the bulky waste pickup shall be negotiated between the contractor and the city and publicized to all residents of the city.

Leaf pickup. The contractor shall provide pickup of leaves at least once on each route during the fall months, and shall advertise the date of such pickup in advance.

Extra trash following Christmas. Contractor shall make provisions to pick up extra trash on the pickup date following the Christmas holiday.

In no other way whatsoever is the Residential Solid Waste and Recycling Agreement amended or modified, and the parties hereto adopt, repeat, and reaffirm all other provisions of that Original Agreement as previously amended.

IN WITNESS WHEREOF, the parties set their hands and seals this _____ day of _____, 2019.

CITY OF ROGERS

INLAND SERVICE CORP.

By: _____
Greg C. Hines

By: _____

Attest:

Peggy David, City Clerk

ORDINANCE NO. _____
CITY OF ROGERS, ARKANSAS

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING
CERTAIN LANDS FROM N-R TO NBT, PROVIDING FOR
THE EMERGENCY CLAUSE AND FOR OTHER PURPOSES

WHEREAS, pursuant to the provisions of Rogers Code Section 14-725, et seq, and upon the consideration of the report and recommendations of the Planning Commission of the City of Rogers, Benton County, Arkansas, the City Council has found that certain lands hereinafter described are better suited for NBT than N-R zoning based on improvements being sought by owners that are within NBT zoning permissions.

NOW, THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS:

SECTION 1: That Section 14-675 of the code of Ordinances, City of Rogers, should be and the same hereby is amended as hereinafter provided.

SECTION 2: That the land hereinafter described should be and the same is hereby zoned as NBT and that said lands being in Benton County, Arkansas, are described as:

Property to be zoned NBT: A STRIP OF LAND OF EQUAL WIDTH 100 FEET WIDE OFF OF THE NORTH SIDE OF LOT 1 BLOCK 3 J WADE SIKES PARK SUBDIVISION ROGERS, BENTON COUNTY.

LAYMAN'S DESCRIPTION: .34 acres, more or less, at 506 S 3rd Street, Rogers AR

SECTION 3: That such rezoning is pursuant to the Downtown Rogers Development Code (DRDC) Article 1.0, section a). LOT 4 BLOCK 3 J WADE SIKES PARK SUBDIVISION ROGERS

Section 4: Severability Provision- In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

Section 5: Repeal of Conflicting Ordinances and Resolutions- All ordinances, resolutions or orders of the City Council, or parts of ordinances, resolutions or orders of the City Council in conflict herewith are hereby repealed to the extent of such conflict.

PASSED THIS _____ DAY OF _____, 2019.

ROGERS, ARKANSAS

APPROVED:

ATTEST:

PEGGY DAVID, CLERK

C. GREG HINES, MAYOR

ORDINANCE NO. _____
CITY OF ROGERS, ARKANSAS

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING
CERTAIN LANDS FROM R-O TO R-DP, PROVIDING FOR
THE EMERGENCY CLAUSE AND FOR OTHER PURPOSES

WHEREAS, pursuant to the provisions of Rogers Code Section 14-725, et seq, and upon the consideration of the report and recommendations of the Planning Commission of the City of Rogers, Benton County, Arkansas, the City Council has found that certain lands hereinafter described are better suited for R-DP than R-O zoning.

NOW, THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS:

SECTION 1: That Section 14-675 of the code of Ordinances, City of Rogers, should be and the same hereby is amended as hereinafter provided.

SECTION 2: That the land hereinafter described should be and the same is hereby zoned as R-DP and that said lands being in Benton County, Arkansas, are described as:

(Legal Description here) PART OF THE SE1/4 OF THE NE1/4 AND PART OF THE SW1/4 OF THE NE1/4 OF SECTION 11, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS:
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NW CORNER OF SAID SE1/4 OF THE NE1/4, THENCE ALONG THE NORTH LINE OF SAID SE1/4 OF THE NE1/4 S87°13'17"E 75.00 FEET, THENCE LEAVING SAID NORTH LINE S02°40'6"E 896.25 FEET, THENCE N86°16'10"W 123.00 FEET, THENCE N02°39'54"E 894.21 FEET TO THE NORTH LINE OF SAID SW1/4 OF THE NE1/4, THENCE ALONG SAID NORTH LINE S87°13'17"E 46.07 FEET TO THE POINT OF BEGINNING, CONTAINING 2.53 ACRES AND SUBJECT TO THE RIGHT-OF-WAY OF WEST PERSIMMON STREET AND SUBJECT TO ANY AND ALL OTHER EASEMENT FO RECORD OR FACT.

LAYMAN'S DESCRIPTION: 1504 Persimmon Street, Rogers, AR being 2.5 Acres, more or less

SECTION 3: That it is necessary to bring proposed uses of the property into conformance with the Rogers City Zoning Ordinances and because of such an emergency is declared to exist and in order to protect the public peace, health, safety and welfare, this ordinance shall be in full force and effect from the date of its passage and approval.

Section 4: Severability Provision- In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

Section 5: Repeal of Conflicting Ordinances and Resolutions- All ordinances, resolutions or orders of the City Council, or parts of ordinances, resolutions or orders of the City Council in conflict herewith are hereby repealed to the extent of such conflict.

PASSED THIS _____ DAY OF _____, 2019.

ROGERS, ARKANSAS

APPROVED:

ATTEST:

PEGGY DAVID, CLERK

C. GREG HINES, MAYOR